



PATENT  
12665.0065.NPUS01

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND DEVICE FOR COLLECTING AND PRESERVING CELLS FOR ANALYSIS**, the Specification of which:

- is attached hereto.  
 was filed on **October 16, 2003** as Application Serial No. **10/605,669**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119, of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

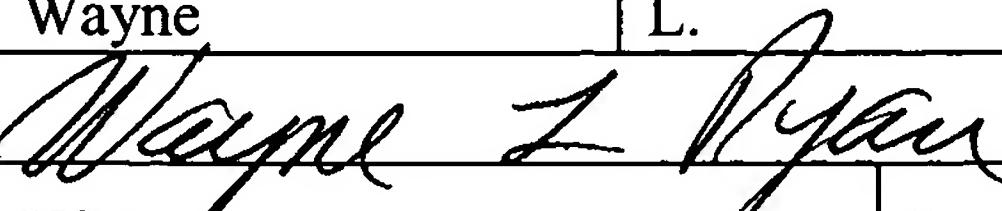
### **PRIORITY APPLICATION(S)**

|                   |                  |                         | <b>Priority Claimed</b> |
|-------------------|------------------|-------------------------|-------------------------|
| <b>60/418,978</b> | <b>U.S.A.</b>    | <b>October 16, 2002</b> | <b>yes</b>              |
| <b>(Number)</b>   | <b>(Country)</b> | <b>(Date Filed)</b>     | <b>(yes/no)</b>         |

I hereby direct that all correspondence and telephone calls be addressed to Amy Klann, Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, Texas 77057-2198, (713) 787-1400.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED

STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

|  |   |              |      |
|--|---|--------------|------|
| Inventor's Full Name:  | Wayne   | L.           | RYAN |
| Inventor's Signature:  |  |              |      |
| Country of Citizenship:  | USA   | Date: 1/3/04 |      |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 1606 S. 187 Circle, Omaha, NE 68130, U.S.A.   |              |      |
| Post Office Address:<br>(if different from above)                      |   |              |      |

|  |  |       |  |
|--|--|-------|--|
| Inventor's Full Name:  |  |       |  |
| Inventor's Signature:  |  |       |  |
| Country of Citizenship:  |  | Date: |  |
| Residence Address:<br>(street, number, city, state,<br>and/or country) |  |       |  |
| Post Office Address:<br>(if different from above)                      |  |       |  |



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wayne L. Ryan

Serial No.: 10/605,669

Filed: October 16, 2003

For: METHOD AND DEVICE FOR  
COLLECTING AND PRESERVING  
CELLS FOR ANALYSIS

§ Group Art Unit: to be assigned  
§ Examiner: to be assigned  
§ Atty Docket: 12665.0065.NPUS01  
§ Confirmation No. 2668  
§

CORRESPONDENCE ADDRESS  
ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please direct all communications regarding this application as follows:

Customer Number 23369  
Amy Klann  
Howrey Simon Arnold & White, LLP  
750 Bering Drive  
Houston, TX 77057-2198  
(713) 787-1400

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoints: Floyd R. Nation, Reg. No. 27,580; Patricia A. Kammerer, Reg. No. 29,775; Melinda L. Patterson, Reg. No. 33,062; Darrell G. Dotson, Reg. No. 44,661; Matthew L. Madsen, Reg. No. 45,594; Raymond Reese, Reg. No. 47,891; Amy G. Klann, Reg. No. 48,155; and Merritt D. Westcott, Reg. No. 49,034, each an attorney or patent agent with the law firm of Howrey Simon Arnold & White, LLP, for so long as they remain with such firm, with full power of substitution and

Power of Attorney

revocation, to prosecute this application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent document, and for one year after the issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to MPEP § 324(2), the undersigned avers that she is empowered to sign this document on behalf of Assignee.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Streck Laboratories, Inc., referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

ASSIGNEE: STRECK LABORATORIES, INC.

By: Constance Ryan  
Name: Constance Ryan  
Title: President  
Date: 2-4-04

ASSIGNMENT:

- Concurrently filed  
 Previously recorded  
Date:  
Reel:  
Frames:

Power of Attorney